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Message Text

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ORIGIN EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NRC-05 NSAE-00 USIA-06
TRSE-00 EUR-12 ERDA-05 ISO-00 /036 R

DRAFTED BY EB/ITP/EWT - AREICHENBACH
APPROVED BY EB/ITP/EWT - WROOT
EB/ITP/EWT - RPRACHT
COMMERCE/OEA - RMEYER (INFO)
EUR/CE - RCASAGRANDE (INFO)
DOD/ISA - MMOUNTAIN (INFO)
----------140001Z 034626 /66
R 132105Z JAN 77
FM SECSTATE WASHDC
TO USMISSION OECD PARIS
INFO AMEMBASSY BONN

C O N F I D E N T I A L STATE 008078

EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, GW

SUBJECT: GERMAN DEMARCHE TO WASHINGTON ON COCOM EXCEPTION REQUESTS

REF: OECD PARIS 00554

1. GERMAN COUNSELLOR FOR ECONOMIC AFFAIRS ROMBACH MADE DEMARCHE JANUARY 11 ON SEVEN OUTSTANDING CASES MENTIONED IN REFTEL. HE INDICATED THIS WAS FIRST COCOM-RELATED REQUEST BY THE GERMAN EMBASSY IN APPROXIMATELY EIGHTEEN MONTHS, BUT THAT THE FOREIGN OFFICE VIEWED THE GROWING PROBLEM OF DELAY ON GERMAN CASES IN COCOM AS SUBJECT TO SERIOUS REPERCUSSIONS. HE EMPHASIZED THAT THE FAILURE OF THE FRG TO ACT ON EXPORT
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ICENSE APPLICATIONS WITHIN 90 DAYS, OPENS HIS GOVERNMENT TO THE POSSIBILITY OF SUIT BY THE EXPORTER FOR ALLEGED INACTIVITY. THIS REAFFIRMS THE STATEMENT IN PARA 2 OF REFTEL. ROMBACH WAS OF THE OPINION THAT THE FRG'S 90-DAY TERM WAS BASED ON U.S. DEPT. OF COMMERCE REQUIREMENTS TO REPORT OUT CASES WITHIN 90.DAYS. WE LIMITED OUR COMMENTS TO THE FACT THAT FREQUENTLY ADDITIONAL TECHNICAL INFORMATION OR ASSESS-

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MENT IS REQUIRED BEFORE THE LICENSE APPLICATION IS SUBJECT TO PROCESSING, AND THAT THE 90-DAY TERM IS THEREFORE MOVED FORWARD ACCORDINGLY.

2. THE SEVEN CASES, LISTED IN REFTEL, WERE CITED BY THE COUNSELLOR AS REQUIRING URGENT ACTION BY THE USG. NOTIHG AGAIN THE 90-DAY FRG LIMIT, HE SAID THAT SOME OF THESE CASES WERE MORE THAN SIX MONTHS OLD, AND THAT NO RE-SPONSE HAD BEEN RECEIVED THROUGH COCOM CHANNELS ON THEIR DISPOSITION. WE SHALL RESPOND IN BRIEF ON THE STATUS OF THE CASES, KNOWING THAT THE GERMAN EMBASSY HAS ONLY REFERENCE TO THE SPECIFIC CASES AND NO ACCESS TO PARTICU-LARS. ROMBACH POINTED OUT THAT HIS GOVERNMENT PLANS ON BRINGING DELINQUENT CASES TO OUR ATTENTION ON A MONTHLY BASIS, SINCE NO SATISFACTION IS RECEIVED VIA COCOM CHANNELS. WE TOLD HIM WE WOULD PREFER KEEPING THE STATUS REPORTS WITHIN THE COCOM STRUCTURE, BUT THAT WE WOULD BE HAPPY TO ADVISE THE EMBASSY ON STATUS OF CERTAIN CASES ON AN AD HOC BASIS.

3. THE COUNSELLOR SURMISED THAT HE SHOULD PERHAPS ASK TO BE APPRISED BY HIS GOVERNMENT OF ALL GERMAN CASES PENDING IN COCOM, IN DETAIL, IN ORDER THAT HE MIGHT MORE RATIONA-LY ADDRESS THE PROBLEMS. WE SOUGHT TO DISCOURAGE THIS ADDI-TIONAL DIALOG. ROMBACH WAS AWARE THAT THE BRITISH MAKE A MONT;LY CHECK WITH STATE DEPT. ON THE STATUS OF THEIR OVER-DUE CASES.

4. COMMENT: IT WAS APPARENT THAT THE EMBASSY OF THE FRG
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IN WASHINGTON DOES NOT WANT TO BECOME INVOLVED IN COCOM DELIBERATIONS, BUT IS BEING PRESSURED BY THE FOREIGN OFFICE TO USE MEANS AT ITS DISPOSAL TO PROD THE U.S. INTO ACTTON ON LONG PENDING CASES. IT WAS AGREED THAT WE WOULD CONFER ON AN INFORMAL BASIS, AVOIDING EXCHANGES OF NOTES ON SUCH MATTERS, AND THAT WE WOULD TRY TO KEEP THE EMBASSY APPRISED OF THE BASIC REASOR FOR DELAY WHENEVER POSSIBLE. WE ASKED WHETHER MR. GAYMANN IN BONN HAD INITIATED THIS ACTION, RECALLING HIS STRONG FEELING ON U.S. DELAY ON GERMAN CASES, AS EXPRESSED AT THE SUBCOMMITTEE MEETING IN OCTOBER; HOWEVER, THE EMBASSY REPRESENTATIVE WAS UNABLE TO IDENTIFY THE SOURCE OF THE INSTRUCTION.
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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Document Unique ID: 00
Drafter: AREICHENBACH
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
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Format: TEL
From: STATE
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Retention: 0
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Review Withdrawn Fields: n/a
SAS ID: 3604246
Secure: OPEN
Status: NATIVE
Subject: GERMAN DEMARCHE TO WASHINGTON ON COCOM EXCEPTION REQUESTS
TAGS: ESTC, GE, US, COCOM
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vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/4d0805da-c288-dd11-92da-001cc4696bcc
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